

### **REMARKS**

Applicants appreciate the Examiner's thorough consideration provided the present application. Claims 1-3, 5, 6, 9-19, 21 and 22 are now present in the application. Claims 15, 21 and 22 have been amended. Claim 20 has been cancelled. Claims 1, 15, 21 and 22 are independent. Reconsideration of this application, as amended, is respectfully requested.

#### **Information Disclosure Citation**

Applicants thank the Examiner for considering the references supplied with the Information Disclosure Statement filed on January 28, 2008, and for providing Applicants with an initialed copy of the PTO/SB/08 form filed therewith.

#### **Rejection Under 35 U.S.C. § 112, 2nd Paragraph**

Claims 21 and 22 stand rejected under 35 U.S.C. § 112, second paragraph, as being incomplete for omitting essential structural cooperative relationships of elements, such omission amounting to a gap between the necessary structural connections. This rejection is respectfully traversed.

In view of the foregoing amendments, it is respectfully submitted that this rejection has been addressed. Accordingly, all pending claims are now definite and clear. Reconsideration and withdrawal of the rejection under 35 U.S.C. § 112, second paragraph, are therefore respectfully requested.

### **Rejection Under 35 U.S.C. § 101**

Claims 21 and 22 stand rejected under 35 U.S.C. § 101 because they allegedly are directed to non-statutory subject matter. The Examiner states that the claimed steps are not being performed by any form of computer hardware component. Applicants traverse the rejection as set forth herein.

In response to this rejection, Applicants have added hardware instruments into claims 21 and 22, and the adaptive amendments to the claims have been made.

Reconsideration and withdrawal of the rejection are respectfully requested.

### **Allowable Subject Matter**

Applicant thanks the Examiner for indicating that claims 1-3, 5 and 6 are allowed in this application.

### **Claim Rejections Under 35 U.S.C. § 103**

Claims 9-22 stand rejected under 35 U.S.C. § 103 as being unpatenable over Admitted Prior Art (“APA”) in view of Heo et al. (U.S. Publication No. 2004/0138873, hereinafter “Heo”) and further in view of Gang et al. (U.S. Publication No. 2003/0089218, hereinafter “Gang”). This rejection is respectfully traversed.

Complete discussions of the Examiner’s rejections are set forth in the Office Action, and are not being repeated here. Applicants respectfully submit that the combinations of steps/elements set forth in claims 9, 15, 21 and 22 are not disclosed or suggested by the references relied on by the Examiner.

In particular, regarding independent claim 9, claim 9 recites a combination of elements including, *inter alia*, “*extracting a visual duration*, from said associated visual descriptors, for each said visual segment; *extracting an audio duration*, from said associated audio descriptors, for each said audio segment; evaluating a plurality of correlating scores for respective sequences of said visual segments, based on said corresponding weights, said corresponding audio durations and said corresponding visual durations; *finding a sequence of visual segments with a correlating score that is the maximal within said plurality of correlating scores;...*” Applicants respectfully submit that at least the features emphasized above set forth in claim 9 are not disclosed or suggested by the references relied on by the Examiner.

Specifically, the Examiner asserts that APA discloses the steps of “extracting a visual duration, from said associated visual descriptors, for each said visual segment; extracting an audio duration, from said associated audio descriptors, for each said audio segment” as recited in claim 9. Applicants respectfully disagree and submit that a careful review of Page 2, lines 14-16 of the Specification indicates that the “rate of change” of APA is obtained by measuring, rather than the claimed steps of extracting set forth in claim 9. Therefore, the steps of “extracting a visual duration, from said associated visual descriptors, for each said visual segment” and “extracting an audio duration, from said associated audio descriptors, for each said audio segment” recited in claim 9 are not disclosed or suggested by APA.

Furthermore, the Examiner also asserts that APA discloses the step of “finding a sequence of visual segments with a correlating score that is the maximal within said plurality of correlating scores” as recited in claim 9. Applicants respectfully disagree. Referring to Page 2, lines 12-14 of the Specification, APA merely teaches the step of “measuring the probability.”

Applicants respectfully submit that “measuring the probability” of APA can not be comparable with the step of “finding a sequence of visual segments with a correlating score that is the maximal within said plurality of correlating scores”. Therefore, the step of “finding a sequence of visual segments with a correlating score that is the maximal within said plurality of correlating scores” as recited in claim 9 is not disclosed or suggested by APA.

With regard to the Examiner’s reliance on Heo and Gang, Applicants respectfully submit that Heo and Gang also fail to disclose or suggest the above-mentioned features set forth in claim 9, and thus fail to cure the deficiencies of APA.

Since APA, Heo and Gang, either taken alone or in combination, fail to teach each and every claimed step recited in claim 9, Applicants respectfully submit that claim 9 clearly defines the present invention over the teachings of the references relied on by the Examiner. For the same reasons set forth above in regards to claim 9, it is respectfully submitted that claim 21 also clearly defines the present invention over the teachings of the references relied on by the Examiner.

Regarding independent claims 15 and 22, without conceding to the propriety of the Examiner’s rejection, but merely to timely advance the prosecution of the application, as the Examiner will note, independent claims 15 and 22 have been amended to add the feature of “searching window” and corresponding description. Applicants respectfully submit that there is no disclosure in APA, Heo and Gang disclosing or suggesting the above-mentioned feature set forth in amended claims 15 and 22. Since APA, Heo and Gang, either taken alone or in combination, fail to teach each and every claimed feature recited in claims 15 and 22, Applicants

respectfully submit that claim 15 and 22 clearly define over the teachings of the references relied on by the Examiner.

In addition, claims 10-14 and 16-19 depend, either directly or indirectly, from independent claims 9 and 15, and are therefore allowable based on their respective dependence from independent claims 9 and 15, which are believed to be allowable.

In view of the above amendments to the claims and remarks, Applicant respectfully submits that claims 9-19, 21 and 22 clearly define the present invention over the references relied on by the Examiner. Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 103 are respectfully requested.

**CONCLUSION**

It is believed that a full and complete response has been made to the Office Action, and that as such, the Examiner is respectfully requested to send the application to Issue.

In the event there are any matters remaining in this application, the Examiner is invited to contact Paul C. Lewis, Registration No. 43,368 at (703) 205-8000 in the Washington, D.C. area.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.147; particularly, extension of time fees.

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Respectfully submitted,

By 

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